

REMARKS / ARGUMENTS

Claims 1-6 are rejected under 35 USC 112, first paragraph, as being non-enabling. Applicants request reconsideration and withdrawal of this rejection for the reasons that follow.

The present specification clearly teaches the dose and mode of administration of PTK787 for treating patients with MDS. Thus, the present specification clearly enables one of skill to treat patients with PTK787. The Examiner apparently contends undue experimentation is required to determine in advance of treatment which patients would respond to PTK787. However, when only about a third of patients with MDS are able to control the condition with established chemotherapeutic agents, as is disclosed at the paragraph bridging pages 1 and 2, it is routine to experiment with different drugs until, hopefully, one that works is found. The number of patients reported as having stable disease in the Example may, along with many other factors, determine whether PTK787 is tried first, second, third or tenth. However, this is routine experimentation. Therefore, Applicants assert that the specification contains an enabling disclosure. Accordingly, Applicants request withdrawal of the rejection under 35 USC 112, first paragraph.

Claims 1-6 are rejected under 35 USC 103(a) over Burton et al. Applicants request reconsideration and withdrawal of this rejection for the reasons that follow.

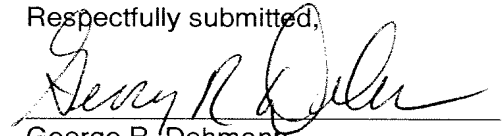
Burton et al discloses that oxidized carotenoid mixtures, and particularly the component 2-methyl,-6-oxo-2.4-heptadienal, are useful for treating cancer. The reference discloses that the cancer can be any of a long laundry list of cancers which includes MDS. The reference further discloses that the oxidized carotenoid component can be combined with another long laundry list of known cancer therapies that includes PTK787. However, the Examiner points to no disclosure in Burton et al which would lead the skilled artisan to understand that the oxidized carotenoid component should be combined with PTK787 to treat MDS. Therefore, Burton does not suggest the present invention. Accordingly, Applicants request withdrawal of the rejection.

Entry of this amendment and reconsideration and allowance of the claims is requested.

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